

UNITED STATES PATENT & TRADEMARK OFFICE

Examiner: YOUNG, Shawquia Art Unit: 1795

Re: Application of: GIANNESI, Fabio, et al.

Serial No.: 10/501,135

Filed: July 13, 2004

For: **PHENYL(ALKYL)CARBOXYLIC ACID
DERIVATIVES AND DIONIC
PHENYLALKYLHETEROCYCLIC
DERIVATIVES AND THEIR USE AS
MEDICINES WITH SERUM GLUCOSE
AND/OR SERUM LIPID LOWERING
ACTIVITY**

Confirmation No.: 7877

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 21, 2009

Sir:

Further to the Information Disclosure Statement submitted on March 30, 2009 and pursuant to M.P.E.P. §609 and 37 C.F.R. §§1.56, 1.97-1.99, Applicants herewith submit form PTO/SB/08a.

This submission does not represent that a search has been made or that no better art exists. While the term "references" is used in citing the documents called to the Examiner's attention herein, Applicants do not make any admission that each or all of them are "prior art" references within the meaning of the statutory and case law.

Applicants reserve the right to contend, where appropriate, that a patent asserted against any claim of the present application is not prior art under the facts and the law.

Applicants also reserve the right to present appropriate arguments and/or evidence to establish patentability over the references, should one or more of the references be applied against the claims of the present application.

Applicants request that the Examiner independently determine those items which the Examiner would consider the most pertinent of all the references cited herein.

It is respectfully requested that the cited references are considered and made of record. Each item of information contained in this Supplemental Information Disclosure Statement was first cited in an Office Action issued in the corresponding Japanese Patent Application No. 2003-559969 no more than three (3) months prior to the filing of this Supplemental Information Disclosure Statement. Therefore, no fee is due. If, on the other hand, it is determined that further fees are necessary or any overpayment has been made, the Commissioner is hereby authorized to debit or credit such sum to Deposit Account No. 02-2275.

Respectfully submitted,

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